
PLANNING COMMITTEE 2/2/15

Present: Councillor Michael Sol Owen – Chairman
Councillor Anne Lloyd Jones – Vice-chair

Councillors: Craig ab Iago, Sion Wyn Jones (Substitute), Dilwyn Lloyd (Substitute), June Marshall, John Pughe Roberts, Eirwyn Williams, Gruffydd Williams, Hefin Williams, Owain Williams and Eurig Wyn.

Others invited: Councillors Anwen Davies, Simon Glyn and R. H. Wyn Williams (Local Members).

Also in attendance: Gareth Jones (Senior Planning Service Manager), Cara Owen (Development Control Manager), Keira Ann Sweeney (Senior Development Control Officer), Rhun ap Iarhos (Senior Solicitor), Gareth Roberts (Senior Development Control Officer – Transport) and Bethan Adams (Member Support and Scrutiny Officer).

Apologies: Councillors Endaf Cooke, Elwyn Edwards, Gwen Griffith, Dyfrig Wynn Jones, W. Tudor Owen and Councillor Liz Saville Roberts (Local Member).

1. DECLARATION OF PERSONAL INTEREST

(a) The following members declared a personal interest for the reasons noted:

- Councillor Gruffydd Williams in item 5 on the agenda (application number C14/0885/33/LL) as he was the best friend of the applicant's sister; (application number C14/1083/42/LL) as his father owned a caravan park that was located less than six miles from the site.
- Councillor Owain Williams in item 5 on the agenda (planning application number C14/1083/42/LL) as he was the owner of a nearby caravan park that was located less than six miles from the site.

The Members were of the opinion that they were prejudicial interests, and they withdrew from the Chamber during the discussion on the applications noted.

(b) The following members declared that they were local members in relation to the items noted:

- Councillor Michael Sol Owen (a member of this Planning Committee) in relation to item 5 on the agenda (planning application C14/0769/45/LL).
- Councillor Anwen Davies (not a member of this Planning Committee) in relation to item 5 on the agenda (planning application number C14/0885/33/LL);
- Councillor Simon Glyn (not a member of this Planning Committee) in relation to item 5 on the agenda (planning application number C14/1083/42/LL);
- Councillor R. H. Wyn Williams (not a member of this Planning Committee) in relation to item 5 on the agenda (planning application C14/1164/39/LL);

The Members withdrew to the other side of the Chamber during the discussions on the applications in question and they did not vote on these matters.

2. MINUTES

The Chair signed the minutes of the previous meeting of this committee held on 12 January 2015, as a true record.

3. PLANNING APPLICATIONS

The Committee considered the following applications for development.

Details of the applications were expanded upon and questions were answered in relation to the plans and aspects of the policies.

RESOLVED

1. Application no. C14/1083/42/LL – Tu Hwnt i'r Ffrwd, Morfa Nefyn, Pwllheli

Change of use to include 16 additional touring caravans, a road and hard standings.

Members of the Committee had visited the site before the meeting.

- (a) The Senior Development Control Officer elaborated on the background of the application noting that the application had been deferred at the Committee meeting held on 12 January, 2015 in order to hold a site visit.

It was considered that the proposed extension to the caravan site, because of its location, scale, layout and appearance in the landscape, would stand out as a prominent and intrusive feature in open countryside and would have a detrimental impact on the landscape and on the visual amenities of the area. It was questioned whether there was real justification for extending the site considering that the previous permissions had not been implemented yet. It was added that the proposal was contrary to policy D20 of the Gwynedd Unitary Development Plan (GUDP) and the Supplementary Planning Guidance: Holiday Accommodation.

- (b) Attention was drawn to the additional observations that had been received.
- (c) The application was supported by the local member (not a member of this Planning Committee), and he made the following main points:-
- The development would be beneficial to the economy;
 - The applicant had not implemented the previous permissions as he intended to open the caravan site on 1 March 2015 when all the work had been completed;
 - As was seen during the site visit, the applicant had constructed a 'clawdd' over six feet high with hazel trees planted on the 'clawdd' with a gap of approximately 5 metres between them;
 - That the field in question was further from the Area of Outstanding Natural Beauty than the two fields where the applicant had received previous permission;
 - There were no issues relating to pedestrian safety as there was a public footpath to the Bryn Cynan Inn and work of widening the entrance near the road had already been completed;
 - He wanted to circulate plans/photographs but he had not received permission to do so;
 - He asked the members to support the application.
- (ch) In response to the local member's observations, the officers noted:-
- It was not permissible to circulate photographs unless officers had seen them beforehand in fairness to everyone;
 - The permissions that had been received for locating 25 touring caravans on the site had already been implemented but the use as a caravan site had not commenced;
 - A similar application from the applicant had been refused and the application had not changed sufficiently to justify approving the application;
 - The main consideration was the visual impact of the development and it was believed that there would be a negative visual impact on the landscape if the application was approved.

- (d) Proposed and seconded to approve the application contrary to the officers' recommendation.

The following observations were noted in favour of approving the application:

- That the development would be a boost to the economy;
- High quality work had been completed on the site already;
- The trees were growing on the 'clawdd' and they would screen the development sufficiently.

- (dd) The following observations were noted against approving the application:

- The visibility of the site in the landscape was a matter of opinion but by looking at the slides it could be seen that the site was visible and there would be a negative impact;
- The application was premature as there was a need for the trees to mature so that they screened the development;
- There was a need to reconsider the application again when the caravans that had received previous permissions were in place;
- In accordance with policy D20 of the GUDP, there was a need for the proposal to form part of a scheme to ensure visual improvements and the proposal did not comply as the site was in a prominent position with higher ground surrounding it.

RESOLVED to approve the application.

Conditions:

1. Five years
2. In accordance with the plans
3. Restrict the numbers
4. Staying period
5. Touring caravans on tour
6. No storing
7. Keep a register
8. Landscaping
9. Maintain the landscaping.

2. Application no. C11/1074/24/LL - Brithdir, Rhosgadfan, Caernarfon.

Erection of bund, level the land and seed, agricultural shed, hardstanding for parking vehicles and retention of shed (part retrospective application)

- (a) The Development Control Manager elaborated on the background of the application and noted that the proposed agricultural shed, on the grounds of its location, its size and scale, could be considered to be reasonably necessary to satisfy the agricultural needs of an agricultural holding of this size. In this context and in order to avoid any doubts regarding the use of the proposed shed, it was considered reasonable to ensure that a condition was imposed to restrict the shed's use for agricultural use only.

The development complied with the GUDP for the reasons noted in the report.

- (b) Taking advantage of the right to speak, an objector noted the following main points:-
- He questioned whether the building was for agricultural use given its design and construction;

- He questioned whether the design of the log shed was suitable for this type of purpose as it was not ventilated;
- He believed that the applicant would move his existing business to this site illegally;
- He asked whether the applicant was a registered farmer;
- Concern regarding the noise emanating from the development and the number of cars kept on the site.

(c) Proposed and seconded – to approve the application.

In response to observations by a member regarding the use of the shed, the Development Control Manager noted that the shed had been designed for agricultural use and there was no evidence to the contrary in terms of its use. She added that should the application be approved, an agricultural use only condition would be imposed to control the use and if evidence was obtained of a breach of the condition the matter would be addressed by means of an enforcement investigation.

RESOLVED to approve the application.

Conditions:

1. In accordance with the revised plans
2. Restrict the use of the shed to agricultural use only
3. Cladding to be of a dark green colour
4. Complete the bund
5. Restrict the use of open spaces opposite the shed.
6. Landscaping
7. Submit a sample of the vented cladding to be agreed with the Local Planning Authority.

3. Application no. C14/0753/03/LL – Gwilan, Ffordd Manod, Blaenau Ffestiniog

Full application to erect two detached single-storey dwellings

(a) The Development Control Manager elaborated on the background of the application for planning permission and noted that following consultation with the Council's Highways Officer regarding the proposal, it was considered that the existing unclassified road was acceptable for coping with a small increase in the density of traffic that would be likely should the application be granted.

The development complied with the GUDP for the reasons noted in the report.

(b) During the discussion, the following questions were asked:

- Would it be possible to impose a condition to repair the road after completing the work?
- Would it be possible to reduce the bend on the access road to the houses?
- Had the need for houses in the area been proven and would it be reasonable to impose a 106 Affordable Housing condition?
- Was the access to the site suitable for lorries carrying building materials during the construction period and suitable for refuse collecting lorries when the development had been completed?

(c) In response to the above questions, the officers noted:-

- It would be possible to discuss the condition of the road with the applicant but this would take place outside the planning system under highways legislation;
- The wall on the bend was in the ownership of another individual;
- There was a shortage of development sites because of the area's topography;

- As the site was located in an urban centre, the scheme would have to be for five or more houses in order to impose an affordable condition and there was a need to consider the housing market in the area;
- The access was suitable for lorries and it was a matter for the applicant to transport building materials to the site;
- Refuse collection arrangements for the adjoining houses were already operational.

RESOLVED to approve the application.

Conditions:

1. five years
2. materials and external appearance
3. highways conditions (access and parking)
4. landscaping
5. removal of permitted development rights
6. a condition restricting delivery times to the site
7. comply with the plans.

Highways notes

Standard advice from Welsh Water and Natural Resources Wales

4. Application no. C14/0769/45/LL – Former site of L S Carpets Ltd, Station Square, Pwllheli

The discussion on the above application was chaired by the Vice-chair.

Change of use of building from A1 retail to mixed use with restaurant, lounge bar and dance bar.

- (a) The Development Control Manager elaborated on the background of the application and noted that the site was within the development boundary of Pwllheli and formed part of the North Quay area that had been designated in the GUDP as a site for redevelopment.

It was noted that following receipt of concerns during the public consultation period regarding noise levels and after consultation with the Environmental Health Unit, it was recommended that strict noise control conditions should be imposed. It was reported that as an additional measure, it was recommended that a condition be imposed to limit the time the terrace was used to 11.00pm at night to contain the possible noise level within the building during unsociable hours.

- (b) Taking advantage of the right to speak, the applicant's agent noted the following main points:-
- It was an exciting development that would be ideal for the site;
 - The development would be finished to a high standard;
 - The development would be a boost for the town and the local economy with 20 jobs being created;
 - The developer would be investing substantially to ensure that the development complied with the strict noise conditions;
 - The Town Council supported the development.
- (c) The local member (a member of this Planning Committee) made the following main points:-
- The Town Council with a majority vote recommended supporting the application;
 - The developer would be investing £1 million in the enterprise in the first year along with creating 20 jobs targeted to local people;

- The proposal would give the town a new attraction that would be of benefit to the tourism and leisure sector;
- Strict conditions that were recommended regarding noise and the use of the terrace would respond to the concerns associated with noise levels;
- The officers' report was thorough and recommended imposing appropriate conditions, therefore the application should be approved.

Proposed and seconded – to approve the application.

(ch) During the discussion, the following observations were made:

- There was a real need for a development on the site that would improve the standard;
- It was important that signs and materials in the development were completely bilingual and if appropriate a condition should be imposed to this end;
- The Town Council's support of the development should be noted;
- It was enquired whether the 20 jobs resulting from the development would be full-time or part-time.
- Consideration should be given to raising the height of the rails near the Harbour;
- The applicant should consider imposing noise restrictions when people were eating to ensure an appropriate atmosphere;
- Supportive of the development and hoping it would be successful.

(d) In response to the above observations, the officers noted:-

- It was not possible to impose a bilingual condition but it would be possible to provide guidance for the developer;
- No information regarding the jobs was to hand but there would be an economic benefit as a result of the jobs.

RESOLVED to approve the application.

Conditions:

1. Five years
2. In accordance with the amended plans
3. Finish to be agreed
4. Noise level condition
5. Complete a noise monitoring assessment prior to use of the building
6. Install a noise control device in the sound system prior to use of the building
7. Restrict the hours for use of the terrace until 11pm at night
8. Welsh Water conditions

5. Application no. C14/0885/33/LL – Tyddyn Cae, Boduan, Pwllheli.

Installation and operation of a solar farm (4.9MW) along with associated infrastructure including PV panels, mounting frames, an inverter, transformer, pole-mounted CCTV cameras, fencing and sub-stations.

Members of the Committee had visited the site before the meeting.

(a) The Senior Development Control Officer elaborated on the background of the application noting that the application had been deferred at the Committee meeting held on 12 January, 2015 in order to hold a site visit.

Reference was made to policy C27 of the GUDP which noted that proposals for renewable energy and energy management schemes could be approved provided they complied with

a series of criteria involving the effect on the visual quality of the landscape and environmental and social factors. It was noted that the proposal complied with all the requirements of the policy.

Attention was drawn to the additional observations received and it was noted that the Gwynedd Archaeological Planning Service had confirmed that there was a need to include an archaeological condition should the application be approved and the AONB Unit's observations that the development would not significantly affect the Llŷn Area of Outstanding Natural Beauty (AONB).

The development complied with the GUDP for the reasons noted in the report.

- (b) The following main points were made by the local member (not a member of this Planning Committee):-
- The road leading to the site was unsuitable;
 - Decisions on this type of application should be deferred until Gwynedd Council had assessed whether it would be possible to use the Council's assets and resources for this type of development for local benefit;
 - The Community Council supported the application but enquired whether there was a need to increase the electrical structure.
 - A request from a neighbouring family to relocate three rows of panels that were near their house to reduce the visual impact;
 - On the site visit the view of the site from the dwelling known as 'Y Felin' had not been seen;
 - Consideration should be given to restricting trips back and forth by lorries during the construction phase to two trips a day;
 - There was a need for the Transportation Unit to keep an eye on the condition of the bridge and the forge.
- (c) The Senior Solicitor noted that the committee should disregard the local member's observation that the Council should assess whether its assets and resources could be used for this type of development for local benefit prior to approving such applications as it was not relevant and it was a matter for members to raise in the appropriate place.

In response to the local member's observations, the Development Control Manager noted:-

- The view from 'Y Felin' had been shown to members from the road when leaving the site;
- The agent had collaborated with officers regarding the location of the solar panels and the initial plan had been revised. It was considered that the location of the solar panels was acceptable as it was, since the dwelling faced the other way;
- Further restricting the number of lorry trips per day during the construction phase would mean that the construction phase would increase and it was considered that this would create more disruption for neighbouring residents;
- There would be a special traffic agreement between the Transportation Unit and the applicant where an assessment would be made of the condition of the road and the bridge during, and at the end of construction work and the applicant would fund any repair work.

Proposed and seconded – to approve the application.

- (c) During the discussion, the following observations were made:
- Consideration should be given to reducing the daily number of lorry trips;
 - There was a need to ensure community benefit as a result of developments of this type;
 - It was enquired who would be responsible for decommissioning the site;

- The proposal had been reduced but it was felt that it was an overdevelopment;
- The applicant should be requested to consider relocating three rows of solar panels in accordance with the observations of the local member;
- The site was concealed;
- Supported the proposal as more natural resources should be used;
- The proposal complied with the policies.

- (ch) In response to these observations, the Senior Planning Service Manager noted:-
- Any development created a disturbance but completing a development within a specific period and imposing appropriate conditions would alleviate the impact;
 - Community benefit was a consideration outside the planning procedure and it was suggested that the Community Council should discuss the matter with the company;
 - It was the applicant's responsibility to restore the site at the end of the period;
 - The applicant could be requested to consider relocating the three rows of solar panels but this could not be demanded.

RESOLVED to approve the application and to request the applicant to consider relocating the three rows of solar panels near the dwelling known as 'Y Felin'.

Conditions:

1. Five years
2. Complete the development in accordance with the amended plans
3. The panels must be located in the locations shown on the amended plans.
4. Agree on the external materials of all buildings
5. Agree on the materials/colour of the frames and anti-glare covers
6. Agree on the location and colour of the camera poles
7. Undertake the work in accordance with the landscaping plan
8. Complete the development in accordance with the mitigation measures of the ecological report
9. Complete / implement the development in accordance with the measures in the landscape and biodiversity management plan
10. Highway conditions
11. Work traffic flow and timing management plan.
12. Archaeological conditions
13. Any electricity cables from the development to the electricity connection should be installed underground, and as agreed beforehand with the Local Planning Authority
14. If the solar panels approved in this application remain unused for the purposes of generating electricity for 12 months, they must be permanently removed from the land and the site should be restored to its original condition
15. Submission of surface water management system details
16. No building, structure or raising of ground levels within 7 metres of the bank of any watercourse
17. Agree on a lighting system for the site.

6. Application no. C14/1164/39/LL – 94 Cae Du Estate, Abersoch

Rear first-floor extension with stairs to lower level and retain rear dormer window.

- (a) The Development Control Manager elaborated on the background of the application and noted that the property was located in a terrace of houses on a hill in the centre of the Cae Du estate within the development boundary of Abersoch and within the AONB.

It was noted that whilst it could not be excused that the work of erecting the window had taken place prior to determining the application, it was considered that what had been built was acceptable in this case and respected and matched the building.

The development complied with the GUDP for the reasons noted in the report.

- (b) The local member (not a member of this Planning Committee), objected to the application and the following main points were made:-
- The character of Cae Du estate was changing more and more with extensions;
 - The Community Council was of the opinion that it was an overdevelopment of the site;
 - The objectors were not present at the meeting as the work had been nearly completed before it had been determined;
 - His concern that approving the application would establish a precedent in terms of dormer windows on the estate;
 - Every application had to be determined on its merits but there was also a need to look at the site and the area.

RESOLVED to approve the application.

Conditions:

1. Extension and dormer window to comply with the plans
2. Finish to match the existing property.

The meeting commenced at 1.00pm and concluded at 3.45pm.